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10/807,514	03/22/2004	Shaul Levi	112229-002DIV	3394

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EXAMINER	
WANG, LIANG CHE A	

ART UNIT	PAPER NUMBER
2153	

NOTIFICATION DATE	DELIVERY MODE
01/08/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com
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Office Action Summary	Application No.	Applicant(s)	
	10/807,514	LEVI ET AL.	
	Examiner	Art Unit	
	Liang-che Alex Wang	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 November 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-17 are presented for examination.
2. Claims 1, 4, 7, 8 and 10 are amended and claims 11-17 are added.
3. This action is in response to amendment filed on 11/9/2007.

The New Grounds of Rejection

4. Applicant's amendment and argument with respect to claims 1-10, and new claims 11-17 filed on 11/9/2007 have been fully considered but they are deemed to be moot in views of the new grounds of rejection. Applicant argues Lewis does not teach the amended claim. In response to applicant's argument, an updated rejection is provided to address the amended claim.

Claim Objections

5. Claims 2-14, 16-17 are objected to because of the following informalities:
6. Referring to claim 12, line 1 recites "a receiving a request" should be changed to "receiving a request".
7. Referring to claim 2-11, 13-14, 16-17, claims 2-11, 13-14, 16-17 are dependent claims depends on claims 1, 12 and 15, therefore al the dependent claims should starts with "The ..." instead of "A...".
8. All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-7, 9-13, 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewis et al., US Patent Number 6,233,565, hereinafter Lewis.

11. Referring to claim 1, Lewis teaches a method of data transmission (Col 1 lines 7-15) comprising:

    a. a data provider (RSP web server 150, see figure 2 and figure 6) receiving a request for data over the internet (Internet 30) from a client (customer 2n)(figure 6A steps 212-214, Col 11 lines 46-51, client 2n connects to internet to send request to server);

    b. obtaining data (figure 6B, step 215), in response to said request, at said provider (Col 11 lines 51-53, web server 150 retrieves data);

    c. performing quality assurance procedure (Col 2 lines 29-41, a authentication process is performed when user enters the password to connect to the web server) on said obtained data to indicate whether said obtained data is corrupted (results of user authentication corresponds to "the indication of whether said obtained data is corrupted"), responsive to said request (user connects to web server with

passwords), at said data provider (web server)(Col 22 lines 2-9, server authenticates the user);

d. if said quality assurance procedure does not indicate that said obtained data is corrupted (Col 23 lines 43-47, successful authentication indicates that said obtained data is not corrupted, and communication between client and server are permitted for transmission), then transmitting said data over said internet to said client responsive to said quality assurance procedure (Col 11 lines 51-55, figure 6 steps 215-216); and

e. if said quality assurance procedure indicates that said obtained data is corrupted (Col 23 lines 40-41, failed authentication corresponds to indication that said obtained data is corrupted), then not transmitting said obtained data to said client (Col 23 lines 41-43, connection is terminated and communication link between server and client is severed).

12. Referring to claim 2, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises comparing said data to said request (Col 22 lines 8-9, 16-20, user's request comprises a private key, and the private key is compared with the stored hash).

13. Referring to claim 3, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises comparing said data to stored data (Col 22 lines 18-20).

14. Referring to claim 4, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking an electronic signature associated with said data (Col 11 lines 46-57, Col 4 lines 39-44).

15. Referring to claim 5, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking a limited usage-code associated with said data (Col 18 lines 10-32, user is allowed to change and view his postage usage).

16. Referring to claim 6, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking a one-way hash function of said data (Col 29 lines 12-18, Col 22 lines 18-20).

17. Referring to claim 7, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises analyzing a content of said data against a preexisting value (Col 37 lines 57-60, all changes are analyzed, Col 22 lines 16-20, key is hashed and compared to the stored hash, "the stored hash" corresponds to the "preexisting value").

18. Referring to claim 8, Lewis teaches the method according to claim 1, further comprising transmitting a message when said quality assurance procedure indicates that said obtained data is corrupted.

19. Referring to claim 9, Lewis teaches the method according to claim 9, comprising: receiving said data by a user of said data (Col 4 lines 31-35); and second performing a quality assurance procedure on said data, at said user (Col 4 lines 36-38).

20. Referring to claim 10, Lewis teaches the method according to claim 9, wherein said second performing a quality assurance procedure comprises checking a digital signature of said data (Col 4 lines 36-37, 42-43).

21. Referring to claim 11, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises calculating a checksum for said obtained data (Col 22 lines 18-20, when the key is hashed a checksum for said obtained data is calculated).

22. Referring to claim 12, Lewis teaches a method of data transmission (Col 1 lines 7-15) comprising:

    a. receiving a request for data over the internet (Internet 30) from a client (customer 2n)(figure 6A steps 212-214, Col 11 lines 46-51, client 2n connects to internet to send request to server);

    b. obtaining data (figure 6B, step 215), in response to said request, at said provider (Col 11 lines 51-53, web server 150 retrieves data);

    c. performing quality assurance procedure (Col 2 lines 29-41, a authentication process is performed when user enters the password to connect to the web server) on said obtained data to indicate whether said obtained data is corrupted (results of user authentication corresponds to "the indication of whether said obtained data is corrupted"), responsive to said request (user connects to web server with passwords), at said data provider (web server)(Col 22 lines 2-9, server authenticates the user);

d. if said quality assurance procedure does not indicate that said obtained data is corrupted (Col 23 lines 43-47, successful authentication indicates that said obtained data is not corrupted, and communication between client and server are permitted for transmission), then transmitting said data over said internet to said client responsive to said quality assurance procedure (Col 11 lines 51-55, figure 6 steps 215-216); and

e. if said quality assurance procedure indicates that said obtained data is corrupted (Col 23 lines 40-41, failed authentication corresponds to indication that said obtained data is corrupted), then not transmitting said obtained data to said client (Col 23 lines 41-43, connection is terminated and communication link between server and client is severed).

23. Referring to claim 13, Lewis teaches the method according to claim 12, wherein said performing a quality assurance procedure comprises checking an electronic signature associated with said data (Col 11 lines 46-57, Col 4 lines 39-44).

24. Referring to claim 15, Lewis teaches a system for data transmission (Col 1 lines 7-15) comprising:

a. means for receiving a request for data over the internet (Internet 30) from a client (customer 2n)(figure 6A steps 212-214, Col 11 lines 46-51, client 2n connects to internet to send request to server);

b. means for obtaining data (figure 6B, step 215), in response to said request, at said provider (Col 11 lines 51-53, web server 150 retrieves data);

c. means for performing quality assurance procedure (Col 2 lines 29-41, a authentication process is performed when user enters the password to connect to the web server) on said obtained data to indicate whether said obtained data is corrupted (results of user authentication by matching the user input data and stored data corresponds to "the indication of whether said obtained data (stored data) is corrupted"), responsive to said request (user connects to web server with passwords), at said data provider (web server)(Col 22 lines 2-9, server authenticates the user);

d. measn for transmitting said data over said internet to said client responsive to said quality assurance procedure (Col 11 lines 51-55, figure 6 steps 215-216) if said quality assurance procedure does not indicate that said obtained data is corrupted (Col 23 lines 43-47, successful authentication indicates that said obtained data is not corrupted, and communication between client and server are permitted for transmission) and for not transmitting said obtained data to said client (Col 23 lines 41-43, connection is terminated and communication link between server and client is severed) if said quality assurance procedure indicates that said obtained data is corrupted (Col 23 lines 40-41, failed authentication corresponds to indication that said obtained data is corrupted)

25. Referring to claim 16, Lewis teaches the method according to claim 15, wherein said performing a quality assurance procedure comprises checking an electronic signature associated with said data (Col 11 lines 46-57, Col 4 lines 39-44).

Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

27. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in views of Ekstrom et al., US Patent Number 5,968,126, hereinafter Ekstrom.

28. Referring to claim 8, Lewis teaches the invention as described in claim 1, and Lewis does not teach transmitting a message when said quality assurance procedure indicates that said obtained data is corrupted.

Ekstrom teaches in Col 5 lines 47-49, in the response from server show an authentication failure, an error message is transmitted to the user and the request is terminated.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made have the server of Lewis to transmit an error message to the client upon authentication failure because both Lewis and Ekstrom teach client connection request authentications, and Ekstrom suggests an error message upon authentication failure.

A person with ordinary skill in the art would have been motivated to make the modification to Lewis because having the error message transmitted to the user would allow user to be aware of the failure authentication and provides the opportunities to user to correct his authentication inputs as taught by Ekstrom.

29. Claim 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in views of Beeson, Jr. et al., US Patent Number 5,396,543, hereinafter Beeson.

30. Referring to claims 14 and 17, Lewis teaches the invention as described in claims 12 and 15, however, Lewis does not teach, if said quality assurance procedure indicates that said obtained data is corrupted, then obtaining backup data.

Beeson teaches if the first authentication request has failed then a backup is used for the purpose of authenticating the customer (Col 22 lines 63-67).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made have the backup authentication if the original authentication process has failed because both Lewis teaches a system that is having client sends authentication request to the server, and Beeson provides a solution if the original authentication fails, then a backup authentication is provided to authenticate the client.

A person with ordinary skill in the art would have been motivated to make the modification to Lewis because having the backup authentication would allow client to have an opportunity to be authenticated after the firsts authentication was determined failed.

Conclusion

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

32. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

33. Chow et al., US Publication Number 2002/0002678, teaches internet authentication technology where a failure message is returned to the client.

34. Aviani Jr. et al, US Patent Number 6,532,493, teaches the destination server responds with an appropriate message indicating that the request requires authentication or that authentication had failed.

35. Ishikawa et al., US Patent Number 6,343,284, teaches if the authentication fails, the content server notifies the terminal of the failure of the authentication.

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

38. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
December 18, 2007